

REMARKS

1. In the above-captioned Final Office Action, claims 1, 2, 4-10, 12-17, 19, and 20 were rejected under 35 U.S.C. §102(a) in view of Mazet (U.S. Patent No. 6,672,147). Claims 3, 11, and 18 were rejected under 35 U.S.C. §103(a) given Mazet in view of Amano et al. (2004/0060343). These rejections are traversed and reconsideration is hereby respectfully requested.

2. The telephone interview with the Examiner on October 25, 2005 is appreciated.

3. Claims 1, 2, 4-10, 12-17, 19, and 20 were rejected under 35 U.S.C. §102(a) in view of Mazet. Claims 3, 11, and 18 were rejected under 35 U.S.C. §103(a) given Mazet in view of Amano.

Mazet does *not* teach or suggest determining a value based on engine speed and engine load, as stated in independent claims 1 and 14 as amended, nor determining a value that is a function of engine speed and engine load, as set forth in independent claim 7 as amended.

The applicant respectfully submits that independent claims 1, 7, and 14, as amended, and all of their respective dependent claims, may be passed to allowance.

The Applicant has previously provided arguments showing how Amano fails to teach the elements of claims 3, 11, and 18.

Thus, claims 3, 11, and 18 of the present invention are not taught or suggested by Mazet and/or Amano. Combining these references fails to teach or yield the invention as claimed. The combination of these references fails to teach or suggest all the elements of the claim. Further, one of skill in the art would not be motivated to make such a combination. Therefore, the present invention is not obvious in light of any combination of Mazet and/or Amano.

Furthermore, claims 2-6, 8-13, and 15-20 are dependent upon an independent claim that is shown to be allowable. For all these reasons, the dependent claims are themselves allowable.

4. The Applicants amend claims 1, 2, 7, 10, 14, and 17 above without adding new matter. The amendment of the claims is not an admission that Mazet teaches these claims nor that Mazet in view of Amano renders the limitations obvious. The word

"predetermined" from the phrase "predetermined value" was removed from some of the above mentioned claims at Examiner's recommendation. The amendments herein reflect the Applicants' desire to expeditiously proceed and prosecute the resultant claims in this application.

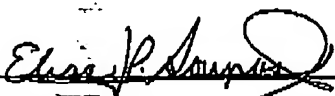
5. The above response is necessary because it places the application in condition for allowance and was not previously entered because the Examiner first brought the grounds of rejection in the Final Office Action.

6. The Examiner is invited to contact the undersigned by telephone or facsimile if the Examiner believes that such a communication may advance the prosecution of the present application. Notice of allowance of claims 1-20 is hereby respectfully requested.

Respectfully submitted,

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By:



Elias P. Soupos
Registration No. 57,375
Agent for Applicants
Voice: (708) 865-4178
Fax: (708) 865-3474